GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:6716
ANSWERED ON:09.05.2000
OVERCROWDING IN JAILS .
GANGASANDRA SIDDAPPA BASAVARAJ

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the National Human Rights Commission has asked the chief justice of the High Courts to tackle overcrowding in jails;

(b) whether the Commission has also requested and advised to instruct district and session judges to take necessary steps to resolve the acute problem of overcrowding in prisons and long pendency of cases;

(c) if so, the details in this regard; and

(d) the reaction of the Government thereto?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS

(SHRI CH. VIDYASAGAR RAO)

(a, (b) & (c): The Chairperson of the National Human Rights Commission wrote to the Chief Justices of the High Courts requesting them to instruct District and Sessions Judges to visit prisons regularly and take steps to reduce overcrowding by early disposal of cases and also by granting bail to prisoners, as per the guidelines laid down by the Supreme Court in the case of`Common Cause Vs. Union of India`.

(d): Union of India shares the concern expressed by the Chairperson, NHRC, `Prison` is a State subject as per entry 4 of List II of the Seventh Schedule of the Constitution.However, the Central Government has been interacting with the State Governments on this issue and has stressed upon them the need to take effective steps to reduce the number of undertrials. The steps suggested by the Central Government include setting up of Special Courts, speedier trials of petty and minor offences and review of all undertrial cases by a Review Committee at the district level, comprising of the representatives of the judiciary, district administration and the prison authorities on monthly/quarterly basis.